

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on February 25, 2011 has been entered.

Claim Rejections - 35 USC § 112

The following is a quotation of the fourth paragraph of 35 U.S.C. 112:

Subject to the [fourth paragraph of 35 U.S.C. 112], a claim in dependent form shall contain a reference to a claim previously set forth and then specify a further limitation of the subject matter claimed. A claim in dependent form shall be construed to incorporate by reference all the limitations of the claim to which it refers.

Claims 7, 8, 12, 17, and 18 are rejected under 35 U.S.C. 112, 4th paragraph, as being of improper dependent form for failing to further limit the subject matter of the claim upon which it depends, or for failing to include all the limitations of the claim upon which it depends.

Applicant may cancel the claim(s), amend the claim(s) to place the claim(s) in proper dependent form, rewrite the claim(s) in independent form, or present a sufficient showing that the dependent claim(s) complies with the statutory requirements.

Regarding claim 7, the claim requires the possibility of current path segments. This limitation is not further limiting of independent claim 1. Claim 1 requires a continuous current path from one end to the other in a layer. Claim 7 attempts to alter the claim such the current path segments are presents (thus cannot be a continuous current path from one end to the other

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anymore). Claims 8 and 12 depend upon claim 7 and inherit all problems associated with the claim.

Regarding claim 17, this claim is not further limiting as the preamble of the claim scope has been broadened. Claim 17 is a dependent claim of claim 1, however with a different scope of the claim. The preamble of a dependent claim should match the preamble of its corresponding independent claim, keeping the same scope of the claim. Applicant has attempted to broaden the scope of dependent claim 17 to an imaging method (not narrowed), thus this is indefinite. If applicant wishes to properly claim an imaging method, this would properly be written in independent form and would comprise at least one method step. No steps seem to be recited. Claim 18 depends upon claim 17 and inherits all problems with the claim.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 7, 8, 10, 12, 13, and 16-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 7, two different embodiments appears to be present in the same claim-one drawn toward a continuous current from one end to the other end, and another embodiment drawn toward a plurality of current path segments. As discussed above (112 4th paragraph), independent claim 1 requires a continuous current path from one end to the other, thus this claim grouping is drawn toward the first embodiment. Recitations of elements of the opposite embodiment is indefinite as they do not combine with the first embodiment. For example, claim

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7 last line requires the current paths to overlap. This appears to be supported for the second embodiment only and not the first embodiment. Applicant appears to be combining embodiments. If applicant believes support for this feature is present, it is requested it be pointed out in the specification. Claims 8 and 12 depend upon claim 7 and inherit all problems associated with the claim.

Claims 19 and 20 also require the current paths to overlap, however this only seems to be disclosed for the second embodiment (current path segments, not the continuous current path). Claims 10 and 13 depend upon the above claims and inherit all problems there with.

Claim 16 recites the limitation "the two or more layers" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 17 recites the limitation "the imaging process", "the paramagnetic susceptibility", "the blood", "the surroundings", and "the paramagnetic susceptibility" in lines 5-8. There is insufficient antecedent basis for this limitation in the claim. Claim 18 depends upon claim 17 and inherits all problems associated with the claim.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. The drawings do not show the following elements: 1) how the capacitor is configured/arranged and attached to the layers of first embodiment in figure 1-3; 2) how the feed throughs are positioned and attached to which layers of the first embodiment; 3) is the adhesive layer present in the second embodiment of figure 5, if so, this layer is not shown in the figure (5) and 4) the disclosed "capacitors are formed in the overlap regions" of the second embodiment of figure 5 (pg.8, lines 21-22), however the

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"capacitors" are not pointed out in the figure (5). These claimed elements are not shown in the figures. Therefore, cross section of the struts at the capacitor and at the feed through must be shown or the feature(s) canceled from the claim(s). As a dictionary definition of a capacitor seems to require two conductive layers separated by an insulative layer, and applicants specification seems to describe a capacitor formed alternately by metal contacting metal (no middle insulative layer), it is unclear which layers are contacting which in the areas where the feed through or capacitor is formed. No figures have been provided to illustrate what the feed through looks like, and what layers the feed through is connected to. The same applies for the capacitor. Although a generic capacitor is seen in figure 4, it is unclear from this figure how the capacitor is configured/attached to the layers. No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will

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be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Allowable Subject Matter

Claims 1, 14, and 15 are allowed.

Claims 7, 8, 10, 12, 13, and 16-20 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Frederick et al. (US 5,680,046) discloses offset interruptions in coils to prevent eddy currents.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Cheryl Miller whose telephone number is 571-272-4755. The examiner can normally be reached on M- F (8am-5:30pm).

If attempts to reach the examiner by telephone are unsuccessful, please contact the examiner's supervisor, Thomas Sweet at 571-272-4761. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

If there are any inquiries that are not being addressed by first contacting the Examiner or the Supervisor, you may send an email inquiry to TC3700_Workgroup_D_Inquiries@uspto.gov.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Cheryl Miller/

Examiner, Art Unit 3738

/THOMAS J SWEET/

Supervisory Patent Examiner, Art Unit 3738